

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, NEWPORT NEWS DIVISION

Hope M. v. Frank Bisignano, Commissioner of Social Security

Hope M. · No. 4:24-cv-136 · Decided January 23, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia adopted an unopposed report and recommendation concerning Hope M.’s appeal from the denial of supplemental security income. The court affirmed the Commissioner of Social Security’s decision, denied the claimant’s motion for summary judgment, and dismissed the case with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Newport News Division
WRITING FOR THE COURT	Jamar K. Walker
JURISDICTION	United States District Court for the Eastern District of Virginia, Newport News Division
DECIDED	January 23, 2026
DOCKET	4:24-cv-136
DISPOSITION	affirmed
PROCEDURAL POSTURE	Claimant sought judicial review of the Social Security Administration's denial of supplemental security income and moved for summary judgment. The matter was referred to a magistrate judge, who recommended affirming the Commissioner's decision and dismissing the case with prejudice. No party objected to the report and recommendation, and the district court adopted it.
STANDARD OF REVIEW	In the absence of a specific written objection to a magistrate judge's report and recommendation, the district court may adopt the recommendation without de novo review unless it is clearly erroneous or contrary to law.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Hope M. v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

summary judgment

civil procedure

PRACTICE AREAS

Social Security

administrative law

civil procedure

QUESTIONS PRESENTED

1. Whether the district court could adopt the magistrate judge's report and recommendation without de novo review when neither party filed a timely objection.
2. Whether the magistrate judge's recommendation to affirm the Commissioner's denial of supplemental security income was clearly erroneous or contrary to law.
3. Whether the Administrative Law Judge adequately addressed the claimant's mild limitations in the residual-functional-capacity assessment.

HOLDINGS

1. When no specific written objection is timely filed, the district court may adopt a magistrate judge's report and recommendation without conducting de novo review unless the recommendation is clearly erroneous or contrary to law.
2. The magistrate judge's report and recommendation was not clearly erroneous or contrary to law, and the Commissioner's decision denying supplemental security income was affirmed.

KEY QUOTATIONS

“In the absence of a specific written objection, this Court may adopt a magistrate judge’s recommendations without conducting a de novo review, unless the recommendations are clearly erroneous or contrary to law.”
(ECF No. 16 at 14)

“The Commissioner’s decision is AFFIRMED. The claimant’s motion for summary judgment (ECF No. 11) is DENIED. This case is DISMISSED WITH PREJUDICE.” (final disposition)

FACTUAL BACKGROUND

Hope M. sought supplemental security income from the Social Security Administration. The agency denied her request, and she sought judicial review in the district court. The underlying dispute included whether the Administrative Law Judge adequately accounted for the claimant's medically determinable impairments and mild limitations when assessing residual functional capacity.

PROCEDURAL HISTORY

Hope M. appealed the denial of supplemental security income under the Social Security Act and moved for summary judgment. Magistrate Judge Lawrence R. Leonard issued a report and recommendation recommending that the Commissioner's decision be affirmed and the case dismissed with prejudice. After the objection period expired without objections, the district court reviewed the recommendation for clear error, adopted it, affirmed

the Commissioner's decision, denied claimant's summary-judgment motion, and dismissed the case with prejudice.

DISPOSITION

affirmed

CASES CITED

- Thomas v. Arn, 474 U.S. 140 (1985)
- Carr v. Hutto, 737 F.2d 433 (4th Cir. 1984)
- United States v. Schronce, 727 F.2d 91 (4th Cir. 1984)
- Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982)
- Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 316 (4th Cir. 2005)
- Jackie A. v. Bisignano, No. 2:24-cv-665, 2025 WL 3281843, at *2 n.2 (E.D. Va. Nov. 25, 2025)
- Thomas v. Berryhill, 916 F.3d 307, 311 (4th Cir. 2019)
- Monroe v. Colvin, 826 F.3d 176, 188 (4th Cir. 2016)
- Mascio v. Colvin, 780 F.3d 632, 635 (4th Cir. 2015)
- Younger v. Berryhill, No. 2:18-cv-182, 2019 WL 3432771, at *5 & n.5 (E.D. Va. June 21, 2019)

OPINION

Moore

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Newport News Division

HOPE M.,

Claimant, v. Case No. 4:24-cv-136 FRANK BISIGNANO, Commissioner of Social Security,
Respondent.

ORDER

Claimant Hope M. appealed a decision by the Social Security Administration denying her request for supplemental security income under the Social Security Act, then moved for summary judgment. ECF Nos. 1, 11. Before the Court is an unopposed report and recommendation (R&R), in which the Honorable Lawrence R. Leonard, United States Magistrate Judge, recommended that the Commissioner's decision be affirmed and this matter be dismissed with prejudice. ECF No. 16. Judge Leonard advised the parties of their rights to object to his findings and recommendations and explained that failure to timely object would result in a waiver of appeal from a judgment of this Court based on such findings and recommendations. ECF No. 16 at 14 (citing 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b); Thomas v. Arn, 474 U.S. 140 (1985); Carr v. Hutto, 737 F.2d

433 (4th Cir. 1984); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984)). The time to file an objection has expired, and neither party objected to the report and recommendation. In the absence of a specific written objection, this Court may adopt a magistrate judge's recommendations without conducting a de novo review, unless the recommendations are clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(b)(2); *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982) (citations omitted); *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 316 (4th Cir. 2005). The Court has reviewed Judge Leonard's findings and recommendations and found no clear error.¹ Accordingly, the report and recommendation (ECF No. 14) is ADOPTED. ¹ Judge Leonard reasoned, in part, that the Administrative Law Judge was not obligated to account for or explain "mild limitations" when assessing the claimant's residual functional capacity (RFC). ECF No. 16 at 11. This Court has previously explained its view that binding decisional law in the Fourth Circuit does not support a distinction between mild and moderate limitations in the context of reviewing the RFC determinations. *Jackie A. v. Bisignano*, No. 2:24-cv-665, 2025 WL 3281843, at *2 n.2 (E.D. Va. Nov. 25, 2025) (explaining that the Fourth Circuit has consistently cited *Mascio* for the rule that an ALJ must consider all medically determinable impairments) (citing *Thomas v. Berryhill*, 916 F.3d 307, 311 (4th Cir. 2019); *Monroe v. Colvin*, 826 F.3d 176, 188 (4th Cir. 2016)); see also *Mascio*, 780 F.3d at 635 ("To make [the RFC] assessment, the ALJ must 'consider all of [the claimant's] medically determinable impairments of which [the ALJ is] aware,' including those not labeled severe at step two.") (quoting 20 C.F.R. § 416.945(a)(2)). However, given the common practice in this District of distinguishing between mild and moderate impairments in this context, Judge Leonard's reasoning is not clearly erroneous or contrary to law. See *Younger v. Berryhill*, No. 2:18-cv-182, 2019 WL 3432771, at *5 (E.D. Va. June 21, 2021) ("Mascio does not appear to require that an ALJ provide an explanation when a plaintiff's mild limitations fail to result in limitations in the RFC."); see also *id.*, at *5 n.5 (rejecting other courts' reasoning extending *Mascio* to mild limitations). Even if reliance on the mild-moderate limitation distinction were clear error, Judge Leonard separately concluded that the ALJ adequately explained his reasoning with respect to the claimant's mild limitations. ECF No. 16 at 12–13. The Court finds that rationale independently sufficient to adopt the R&R. The Commissioner's decision is AFFIRMED. The claimant's motion for summary judgment (ECF No. 11) is DENIED. This case is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED. GY

/s/ Jamar K. Walker United States District Judge Newport News, Virginia January 23, 2026